

Revised 6/15/18

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF RHODE ISLAND**

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IN RE: Porfirio Sandoval and Matilde Sandoval

BK No. 11-bk-11499

Debtors

Chapter 7

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**MOTION TO REOPEN CASE**

NOW COMES THE DEBTOR, Porfirio Sandoval, and hereby moves this Honorable Court to Reopen the Chapter 7 Bankruptcy case, pursuant to 11 U.S.C. Sec. 350(b), for the following reason: In preparing the Voluntary Petition for Chapter 7 Bankruptcy, Citibank (South Dakota), N.A., was unintentionally omitted from Debtor's Schedules and Statement of Financial Affairs in his Chapter 7 Bankruptcy Petition. The Debt Collection case was filed against Porfirio Sandoval in Providence Superior Court on January 19, 2010, Judgment Entered on September 14, 2010 and Execution issued on October 4, 2010. On October 25, 2010 Creditor's counsel recorded an execution in the amount of \$21,068.76 in the Land Evidence Records for the City of Providence in the chain of title for 21 Spokane Street, Providence, Rhode Island. This property was properly reported on Debtors' Bankruptcy Petition Schedule A and was properly exempted under R.I.G.L. §9-26-4.1 as Debtors' "Homestead Principal Residence."

The Debtors divorced in 2011. Matilde Sandoval executed a Quitclaim Deed conveying all of her right, title and interest in 21 Spokane Street, Providence, Rhode Island into Porfirio Sandoval as Sole Owner. This deed was recorded April 3, 2013 in the Land Evidence Records for the City of Providence in Book 10541 at Page 149.

The underlying debt was Porfiro Sandoval's alone and the property affected by this lien is his, solely.

The recorded Judgment Lien recorded in his chain of title has only recently come to Debtor's attention. Debtor prays this Honorable Court grant his Motion to Reopen his case for the limited purpose of entering an inadvertently omitted creditor in order that he may avoid the judicial lien.

The debtor further avers, that if the case was closed for failure to file a:

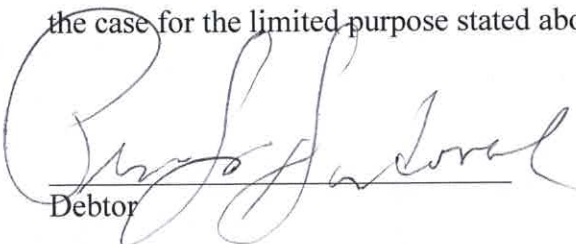
- ☐ Financial Management Certificate, or
- ☐ For failure to file schedules, statements and other documents required under Fed. R.

Bankr. P. 1007,

the documents, along with a Motion to Vacate Dismissal, if applicable, have been filed contemporaneously with the filing of this motion.

The Debtors filed a petition for relief under Chapter 7 on May 11, 2011, and the case was closed by Trustee Charles A. Pisaturo on September 6, 2011 as a "No Asset" case.

**WHEREFORE**, Debtor hereby respectfully requests that the Honorable Court reopen the case for the limited purpose stated above.



Debtor

July 9, 2021  
Date

\_\_\_\_\_  
Joint Debtor

\_\_\_\_\_  
Date

**NOTICE**

Within fourteen (14) days after service, if served electronically, as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if served by mail or other excepted means specified, any party against whom such paper has been served, or any other party who objects to the relief sought, shall serve and file an objection or other appropriate response to said paper with the Bankruptcy Court Clerk's Office, 380 Westminster Street, 6th Floor, Providence, RI 02903, (401) 626-3100. If no objection or other response is timely filed, the paper will be deemed unopposed and will be granted unless: (1) the requested relief is forbidden by law; (2) the requested relief is against public policy; or (3) in the opinion of the Court, the interest of justice requires otherwise.

CERTIFICATION

I hereby certify that a copy of the within Motion was mailed on July 10, 2021 to:

Mark Romano, Esq.  
Figliola and Romano LLC  
282 County Road, Suite 3  
Barrington, Rhode Island 02806 and to

Citibank N.A.  
P.O. Box 790040  
Attn: Bankruptcy  
St. Louis, MO 63179

  
Dawn F. Oliveri

July 10, 2021  
(Date)